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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,661	12/14/2001	Kenichi Numata	111470	4875
25944	7590	05/15/2006	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			STORK, KYLE R	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/014,661

Applicant(s)

NUMATA ET AL.

Examiner

Kyle R. Stork

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,7,9 and 10 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This non-final office action is in response to the request for continued examination filed 12 December 2005 and the corrected claims filed 13 March 2006.
2. Claims 1, 2, 4, 7, 9, and 10 are pending. The rejection of claims 4, 7, 9, and 10 under 35 U.S.C. 101 has been withdrawn as necessitated by the amendment.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipate by Ferrell et al. (US 5878421, filed 17 July 1995, herein Ferrell).

In regard to independent claim 1, Ferrell discloses a decomposition part that decomposes an inputted structured document into plural partial structures in accordance with a setting and generates a hierarchical relationship between the partial structures as first structural information (Ferrell Figures 9a and 10 and Col 20 Lines 51-67 through Col 21 Lines 1-38 i.e. a hierarchical structure of a document is displayed which includes a parent or root node from which child or other nodes depend on and relate to); a structural information registration part that, for each of the partial structures: generates a hierarchical relationship between elements in the partial structure; assigns to each of the elements in the partial structure a depth first node order; and associates a

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maximum node order of node orders of elements with each element (Ferrell Figures 9a and 10 and Col 20 Lines 51-67 through Col 21 Lines 1-38 i.e. a hierarchical structure of a document is displayed which includes a parent or root node from which child or other nodes depend on and relate to and also appear in a certain order); and an information retaining part that retains the first structural information and the second structural information (Ferrell Figures 9a and 10 and Col 20 Lines 51-67 through Col 21 Lines 1-38 i.e. a hierarchical structure of a document is displayed which includes a parent or root node from which child or other nodes depend on and relate to and the information retained for part of the first node which the second structural information depends on).

In regard to independent claim 2, Ferrell discloses decomposing an inputted structured document into plural partial structures in accordance with a setting; generating a hierarchical relationship between the partial structures as first structural information (Ferrell Figures 9a and 10 and Col 20 Lines 51-67 through Col 21 Lines 1-38 i.e. a hierarchical structure of a document is displayed which includes a parent or root node from which child or other nodes depend on and relate to); generating, for each partial structure, a hierarchical relationship between elements in the partial structure as second structural information assigning, for each partial structure, each of the elements in the partial structure a depth first node order; and associating, for each partial structure, a maximum node order of node orders or elements with each element in the partial structure (Ferrell Figures 9a and 10 and Col 20 Lines 51-67 through Col 21 Lines 1-38 i.e. a hierarchical structure of a document is displayed which includes a parent or root node from which child or other nodes depend on and relate to and also

appear in a certain order); and retaining the first structural information and the second structural information (Ferrell Figures 9a and 10 and Col 20 Lines 51-67 through Col 21 Lines 1-38 i.e. has a first and second node, the first node being the parent or root node and a second node which would be dependent or a child of the root node and adding additional nodes related to the first and second node for managing the structured document).

***Allowable Subject Matter***

5. Claims 4, 7, 9, and 10 are allowed.

***Response to Arguments***

6. Applicant's arguments filed 12 December 2005, with respect to claims 1 and 2 have been fully considered but they are not persuasive.

The applicant argues that Ferrel fails to teach a hierarchy (page 6). However, the examiner respectfully disagrees. Ferrel teaches a hierarchy (Figure 10). Here, item 992 (GUIDa) is the parent of item 994 (GUIDb), item 996 (GUIDc), and item 1004 (GUIDg). Subsequently, items 1000 (GUIDe), 1002 (GUIDf), and 1004 (GUIDg) are all parent nodes to a head child (items 1006, 1010, 1014) and a body child (items 1008, 1012, 1016).


**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle R Stork  
Patent Examiner  
Art Unit 2178



**STEPHEN HONG**  
**SUPERVISORY PATENT EXAMINER**

krS